

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
MINNEAPOLIS**

**CASE NO.:**

JL JOHNSON PHOTOGRAPHY, LLC,

Plaintiff,

v.

REAL ESTATE PUBLISHING  
CORPORATION dba REJOURNALS.COM,

Defendant.

**COMPLAINT FOR COPYRIGHT INFRINGEMENT  
(INJUNCTIVE RELIEF DEMANDED)**

Plaintiff JL JOHNSON PHOTOGRAPHY, LLC by and through its undersigned counsel, brings this Complaint against Defendant REAL ESTATE PUBLISHING CORPORATION dba REJOURNALS.COM for damages and injunctive relief, and in support thereof states as follows:

**SUMMARY OF THE ACTION**

1. Plaintiff JL JOHNSON PHOTOGRAPHY, LLC (“JLJP”) brings this action for violations of exclusive rights under the Copyright Act, 17 U.S.C. § 106, to copy and distribute JLJP’s original copyrighted Work of authorship.

2. Jeff Johnson is a Columbus Ohio area photographer offering commercial and residential photography and videography services.

3. Defendant REAL ESTATE PUBLISHING CORPORATION dba REJOURNALS.COM (“Rejournals”) is an online and print publication that covers the commercial real estate industry. Rejournals and its eight regional online and print publications provide insight and analysis of the commercial real estate market in the Midwestern United

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States. At all times relevant herein, Rejournals owned and operated the internet website located at the URL <https://rejournals.com/> (the “Website”).

4. JLJP alleges that Rejournals copied JLJP’s copyrighted Work from the internet in order to advertise, market and promote its business activities. Rejournals committed the violations alleged in connection with Rejournals’s business for purposes of advertising and promoting sales to the public in the course and scope of the Rejournals’s business.

### **JURISDICTION AND VENUE**

5. This is an action arising under the Copyright Act, 17 U.S.C. § 501.

6. This Court has subject matter jurisdiction over these claims pursuant to 28 U.S.C. §§ 1331, 1338(a).

7. Defendant is subject to personal jurisdiction in Minnesota.

8. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c) and 1400(a) because the events giving rise to the claims occurred in this district, Defendant engaged in infringement in this district, Defendant resides in this district, and Defendant is subject to personal jurisdiction in this district.

### **DEFENDANT**

9. Real Estate Publishing Corporation dba Rejournals.com is a Minnesota Corporation, with its principal place of business at 7320 Holly Lane North, Maple Grove, MN 55311, and can be served by serving its Chief Executive Officer, Jeffrey Paul Johnson, at 7767 Elm Creek Boulevard, Suite 210, Maple Grove, MN 55369.

### **THE COPYRIGHTED WORK AT ISSUE**

10. In 2020, JLJP created the photograph entitled “Jeff Johnson, 750 images published January 21, 2020 to November 22, 2020 20201122\_The Grand at Powell Grand (Ohio 11\_2020) \_06”, which is shown below and referred to herein as the “Work”.



11. JLJP registered the Work with the Register of Copyrights on December 26, 2020 and was assigned the registration number VA 2-236-246. The Certificate of Registration is attached hereto as **Exhibit 1**.

12. JLJP's Work is protected by copyright but is not otherwise confidential, proprietary, or trade secrets.

13. At all relevant times JLJP was the owner of the copyrighted Work at issue in this case.

### **INFRINGEMENT BY DEFENDANT**

14. Rejournals has never been licensed to use the Work at issue in this action for any purpose.

15. On a date after the Work at issue in this action was created, but prior to the filing of this action, Rejournals copied the Work.

16. On or about March 21, 2022, JLJP discovered the unauthorized use of its Work on the Website. The Work was used as the lead and thumbnail image for an article about a commercial real estate transaction in Ohio.

17. Rejournals copied JLJP's copyrighted Work without JLJP's permission.

18. After Rejournals copied the Work, it made further copies and distributed the Work on the internet to promote the sale of goods and services as part of its commercial real estate publication business.

19. Rejournals copied and distributed JLJP's copyrighted Work in connection with Rejournals's business for purposes of advertising and promoting Rejournals's business, and in the course and scope of advertising and selling products and services.

20. JLJP's Works are protected by copyright but are not otherwise confidential, proprietary, or trade secrets.

21. Rejournals committed copyright infringement of the Work as evidenced by the documents attached hereto as **Exhibit 2**.

22. JLJP never gave Rejournals permission or authority to copy, distribute or display the Work at issue in this case.

23. JLJP notified Rejournals of the allegations set forth herein on March 28, 2022 and April 11, 2022. To date, the parties have failed to resolve this matter. Copies of the Notices to Rejournals are attached hereto as **Exhibit 3**.

**COUNT I**  
**COPYRIGHT INFRINGEMENT**

24. JLJP incorporates the allegations of paragraphs 1 through 23 of this Complaint as if fully set forth herein.

25. JLJP owns a valid copyright in the Work at issue in this case.

26. JLJP registered the Work at issue in this case with the Register of Copyrights pursuant to 17 U.S.C. § 411(a).

27. Rejournals copied, displayed, and distributed the Work at issue in this case and made derivatives of the Work without JLJP's authorization in violation of 17 U.S.C. § 501.

28. Rejournals performed the acts alleged in the course and scope of its business activities.

29. Rejournals's acts were willful.

30. JLJP has been damaged.

31. The harm caused to JLJP has been irreparable.

WHEREFORE, the Plaintiff JL Johnson Photography, LLC prays for judgment against the Defendant Real Estate Publishing Corporation dba Rejournals.com that:

a. Defendant and its officers, agents, servants, employees, affiliated entities, and all of those in active concert with them, be preliminarily and permanently enjoined from committing the acts alleged herein in violation of 17 U.S.C. § 501;

b. Defendant be required to pay Plaintiff its actual damages and Rejournals's profits attributable to the infringement, or, at Plaintiff's election, statutory damages, as provided in 17 U.S.C. § 504;

c. Plaintiff be awarded its attorneys' fees and costs of suit under the applicable statutes sued upon;

- d. Plaintiff be awarded pre- and post-judgment interest; and
- e. Plaintiff be awarded such other and further relief as the Court deems just and proper.

**JURY DEMAND**

Plaintiff hereby demands a trial by jury of all issues so triable.

DATED: November 8, 2023

Respectfully submitted,

/s/ Faith Beckworth  
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